

JACKSON'S RULING

In the Perpetuation of Injunction Against Collector White

IS ATTRACTING ATTENTION

By Reason of Efforts Being Made to Make it Apply

IN MOST SWEEPING MANNER

To Every Office Under the Internal Revenue Bureau—Senator Faulkner Says that no Doubt the Supreme Court will Sustain Judge Jackson's Decision, Making Secure in Their Positions Nearly Sixty Thousand Men—Other Authorities Say that the West Virginia Judge will be Overruled—Commissioner Forman and Collector White Petitioning Plans to Appeal the Hannis Distillery Cases.

Special Dispatch to the Intelligencer. WASHINGTON, D. C., Nov. 11.—There is an effort being made to apply Judge Jackson's restraining order against Collector White to every office under the internal revenue bureau in the United States. It is claimed by Democrats, in behalf of the hold-overs, that the order will prevent the removal, reassignment or reduction in grade of deputy collectors, store-keepers, gaugers, and every other official, high or low, in whatever department found, who was "protected" by the sweeping executive order issued just before the close of the last administration. On the other hand, it is contended that the commissions of deputy collectors, whose appointments were made upon the recommendations of collectors, expired with the exodus from office of their chief, and a comparison is made, for convenience, with the rule governing the appointments of deputy sheriffs under state laws. But there is law for the contention of those who hold, as does Collector Brady, of Virginia, that the commission of a deputy collector, like that of his next superior in office, expires by limitation, at the expiration of four years, and that a new collector may or may not re-appoint, as he sees fit.

WILL CARRY IT UP. Again, it is claimed that whatever Judge Jackson may have said concerning officials other than gaugers and store-keepers was outside the record, since there was no question raised before him as to the tenure of any officer but those named. The determination of the government counsel to carry the matter from Judge Jackson's court to a higher tribunal is attracting attention, since there are many involved in the decision, and many others who want to know to what extent an executive order may be accepted as law. Senator Faulkner, fresh from his victory as counsel in the case before Judge Jackson, was interviewed here as to the scope of the decision. He said: "Judge Jackson has covered almost every question that has been raised in connection with the law, and until his opinion is over-ruled by a higher court his decision makes it necessary that all appointing officials of the government be guided by the letter of the law, and the regulations framed to make it effective. I regard the decision as the greatest victory that has been gained for the merit system, and have no doubt that if the case is taken to the supreme court that the decision will be sustained. The effect will be to make secure in their positions about 87,000 men, who are protected by the law."

A REMARKABLE CONSTRUCTION. Speaking of Judge Jackson's ruling, Collector Brady, in whose district there is a contest over the tenure of some deputy collectors, said to-day: "From the reports printed in the press, it strikes me as a most remarkable construction of the plain, mandatory provision of the statutes as to the assignment and unassignment of gaugers, which law has not been repealed by any civil service law. As I understand it, Collector White has only attempted to exercise the authority plainly conferred upon him, with the commissioner's approval, to relieve from duty certain gaugers and store-keepers, and to assign others in their places. This has been the custom, so far as I know, ever since the organization of the internal revenue service, and it has never been disputed, even by the civil service commissioners. The opinion of a lawyer of prominence I have met here in Washington during the past few days is that Judge Jackson will be over-ruled by the higher court on appeal."

WILL DISORGANIZE THE ENTIRE SYSTEM

Commissioner Forman does not believe Judge Jackson's decision will hold. Collector White has been here conferring with him for the past few days, and together they have, it is understood, perfected the plans for an appeal of the case. It is the opinion of the bureau officials that if Judge Jackson is sustained it will disorganize the entire system of the internal revenue service in the assignment of gaugers and store-keepers. Commissioner Forman will, therefore, assist Collector White in his appeal. The papers in the West Virginia case are now in the hands of Solicitor O'Connell, of the treasury department.

Attorney General McKenna has notified Secretary Gage that he cannot pass upon the question of the status of deputy collectors and deputy marshals, for the reason that he is asked to decide a hypothetical question. This was in part the Virginia case. The collector had made his appointment without consulting the civil service commission, and was unable to determine the question when protest was made, and referred it to the attorney general.

It is of record that Assistant Attorney General Boyd, into whose hands the matter came, wrote an opinion to the effect that deputy collectors are not within the provisions of the civil service law. This is understood to have been submitted to Mr. McKenna, but instead of approving or rejecting the opinion, he disclosed his disinclination to pass upon the matter. The question is now before the solicitor of the treasury.

Probably Fatal Hunting Accident.

Special Dispatch to the Intelligencer.

MORGANTOWN, W. Va., Nov. 11.—A telephone message to your correspondent from Beaver Hole, in Preston county, says that while Charles Hamilton and Perry Kaler, of Silasbeth, Pa., were hunting last evening in this county, Hamilton's gun was accidentally discharged, Kaler receiving the contents in his left leg. The leg was horribly mangled, and Kaler's life is in doubt.

TWO PARDONS GRANTED

By Governor Atkinson—One was a Case of False Conviction.

CHARLESTON, Nov. 11.—Governor Atkinson to-day pardoned John W. Thomas, sent from Wayne county last June, for rape, to serve a term of twenty years. The governor reviewed the case at some length. Thomas was found guilty of attempting to rape his own daughter, but it has been found since his conviction that there was nothing in the case, and that he was not at home the day the assault was said to have been committed, as was proven by his son. Ten of the jurors asked for his pardon and the judge who tried it did not dissent.

The governor has also granted a pardon to Salaschi Buck, convicted in Calhoun county for burglary, and sentenced to the penitentiary for one year. His pardon is conditional, and is subject to section 20 of chapter 14 of the code, which gives him liberty if he demonstrates himself as a law abiding citizen, but if during the term of his sentence he shall violate the laws of the state, the warden shall again place him in the state prison. Governor Atkinson took this precaution for the reason that several who have been pardoned by him immediately renewed their old habits.

GETS A NEW TRIAL

Morgantown Man Condemned for Wife Murder Has Another Chance.

Special Dispatch to the Intelligencer. MORGANTOWN, W. Va., Nov. 11.—After two years of deliberation, during which the court has twice reversed itself, the supreme court of appeals has granted David Musgrove, convicted of wife murder in the circuit court of this county, a new trial, the prosecuting attorney having received word to that effect this morning. This has been the most stubbornly fought criminal case in the history of the West Virginia courts, and the new trial was granted on a technicality, Judges Brannon and English dissenting.

Musgrove has spent every cent of a comfortable fortune in getting the new trial. Public sentiment, which was strong against him because of the heinousness of the crime, has in a measure subsided, and it is thought that it will be difficult to secure a second conviction, especially as several witnesses of strength to the prosecution have died since the first trial.

Vigorous Prosecution of Moonshiners.

Special Dispatch to the Intelligencer.

CHARLESTON, Nov. 11.—There is no scarcity in the opportunities for those desiring justice to obtain it in this city at the present time, as there are no less than eight or nine courts engaged in the business. The federal court, with Judge John Jay Jackson presiding, began yesterday with one of the most vigorous prosecutions of the moonshiners cases ever recorded. There are not so many of the complaints, the crusade of the United States marshal against the business of making testimony in order to obtain costs of a trip to this city reducing the number of cases. About twenty cases of unlawful selling were disposed of this morning.

"Fighting Tom" Came Not.

Special Dispatch to the Intelligencer.

MORGANTOWN, W. Va., Nov. 11.—All day long a crowd has been standing about the postoffice in expectation of a troublesome scene over the capture of "Fighting Tom" Cooper, the Pennsylvania desperado. Among the crowd were half a dozen Pennsylvania officials, heavily armed and bent upon his capture. Cooper has been in this locality for several weeks and has run out of money. He had written to friends in Pittsburgh to register him some to this point. The letter came, but Cooper did not call. It is said this evening he has again gone into hiding in the Cheat mountains.

Governor Refuses to Intervene.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Nov. 11.—Attorney J. R. Foster, of Fayetteville, and Detective Harrison Ash made a strong plea before Governor Atkinson to-day to save the life of Albert Volsers, but were unsuccessful in their efforts, as the governor refused to intervene, and Volsers will die to-morrow at Fayetteville on the same scaffold where Jerry Brown and Clark Lewis were hanged. It is expected that over 10,000 people will witness the execution.

Murderer Gives Himself Up.

Special Dispatch to the Intelligencer.

CHARLESTON, Nov. 11.—John Nunley, who is charged with complicity in the murder of Mrs. Myrta Eggleston, at Baker's Fork, last spring, surrendered to the officers to-day, and was placed in the jail to await his trial. The wife and sister-in-law, Annie Light, is also in jail for the same offense.

A Good Appointment.

Special Dispatch to the Intelligencer.

CHARLESTON, Nov. 11.—Governor Atkinson to-day appointed Hon. C. H. Payne, the colored member of the legislature from Fayette, as member of the board of regents of the colored school at Bluefield, vice Dr. D. Mayer, who was recently appointed to the position of consul at Buenos Ayres.

Presbyterian Home Missions.

INDIANAPOLIS, Ind., Nov. 11.—The special commission of fifteen named by the last general assembly of the Presbyterian church of the United States of America, met in its first session at the Denison hotel this morning.

Dr. Withers, of Chicago, is chairman. The committee is to endeavor to solve the home mission problem of the church, and to report its solution to the next general assembly. The members of the committee express themselves generally as being of the opinion that a compromise will be made between the national and state plans of control of the home missions.

Official Vote of Pennsylvania.

HARRISBURG, Pa., Nov. 11.—The following are the official totals of last week's election as computed at the state department to-night: State treasurer—Beacom, Rep., 57,448; Brown, Dem., 242,731; Swallow, Pro., 118,999; Thomas, Rep., 5,152; Steelsmith, Liberty, 623; Thompson, Ind., 15,135; scattering, 81.

Agditor general—McCauley, Rep., 412,672; Titter, Dem., 268,341; Logan, Pro., 58,876; Barnes, Soc., 5,948; Hagan, Liberty, 842; scattering, 89.

Entertained by the President.

WASHINGTON, Nov. 11.—Sir Wilfrid Laurier, the Canadian premier, Sir Louis Davies, the minister of marine of Canada, and the other officials who were taking part in the Dering sea negotiations were entertained at dinner by President McKinley at the executive mansion to-night. The list of guests was confined to gentlemen and included the members of the cabinet.

ILLNESS OF JUROR

In the Thorn Trial will Necessitate a New Jury.

OPERATION TO BE PERFORMED

For Appendicitis May be Attended With Fatal Results.

BUT EVEN IF SUCCESSFUL

The Juror will Not be Able to Go Into Court for Three Weeks—Many Complications will Ensnare—All the Evidence Already Given will Have to be Gone Over, and if Mrs. Nack Refuses to Go on the Stand Again the Confession She Has Made Cannot be Used Against Thorn.

NEW YORK, Nov. 11.—The trial of Martin Thorn was not resumed to-day, owing to the dangerous illness of Juror Magnus Larsen, who is suffering from appendicitis. Three physicians held a consultation this afternoon over his illness, and at its conclusion they announced that the only hope of Larsen's recovery lay in an operation. They said that he was in danger of death, and that they had notified his wife. If Mrs. Larsen consents, an operation will be performed at once. In case the operation is a success, it will not be possible for Juror Larsen to be up before three weeks. This will probably necessitate the impaneling of a new jury.

All the evidence already put in by the prosecution will have to be gone over again, and Mrs. Nack will have to undergo another ordeal. If she refuses to go on the stand, the confession she made yesterday cannot be used against Thorn.

A SICK JUROR

Brings the Trial of Thorn to a Sudden Halt—Is Suffering From Appendicitis. New Jury Will be Required.

NEW YORK, Nov. 11.—After the sensational event of yesterday, the trial of Martin Thorn came to a sudden halt to-day, owing to the illness of Juror Magnus Larsen. He was taken sick yesterday and his case was diagnosed as a slight stomach trouble. It has since developed, however, that he is suffering from appendicitis and is in so severe a condition that his doctors will not permit him to leave his bed. Thorn was brought into court, looking none the worse for his terrible ordeal of yesterday, when Mrs. Augusta Nack detailed the story of the murder and mutilation of Goldensuppe and threw the burden of the deed upon him.

When Judge Smith opened court District Attorney Young reported the condition of Juror Larsen, and the judge, with the consent of counsel on both sides, adjourned court until to-morrow morning. This unexpected development may put an end to the trial and necessitate a new one. Lawyer William F. Howe, counsel for Martin Thorn said the case reminded him of a similar one in New York some years ago. An Italian named Canezmi had killed a policeman in Broome street, New York. During the trial, the juror fell sick, and there was a prospect of a long delay. The people as well as the defense were anxious to hurry the trial, and the district attorney for the state and the defendant's lawyers agreed to proceed with eleven jurors. Canezmi was convicted and sentenced to death. An appeal was taken on account of the alleged irregularity and the decision was reversed. The court of appeals stated that neither counsel for the people nor the prisoner could waive the constitutional rights of the accused man, which called for a trial by a jury of twelve men, instead of eleven. When asked if he would consent to the trial of Thorn going on with eleven jurors he said: "I would consent readily enough, but the judge would censure me and properly would ask me if I ever read the law on the subject."

MAY REQUIRE A NEW JURY.

District Attorney Youngs was asked whether, in the event of death of a juror, he would press for a new jury and proceed with the case during the present term. He replied that he would have to consult with his associates before answering the question. "We have worked together," said he, "very harmoniously, so far as the case has gone, and we will not be at longer-hands if such a situation should arise. It is my opinion, however, that in the event of a new jury being required, an entirely new jury would be drawn and the case pushed during the present term."

"How long will the term last and how long would it be necessary to wait for the recovery of Larsen?" To these questions Mr. Youngs replied: "Both of these matters are in the discretion of the court." After court adjourned Mr. Howe and Mr. Thorn had a brief talk with their counsel. Before he was taken back to his cell, Later Mr. Howe outlined his proposed plan of defense, which he has been compelled to adopt, owing to the confession of Mrs. Nack. "Thorn will take the stand to-morrow," said he, "and he will testify that the murder was conceived and plotted and planned by Mrs. Nack. We shall prove that she wanted to get rid of Goldensuppe in order that Thorn might take his place. Thorn will state that when he got into the cottage at Woodside, he shot Goldensuppe and that it was she who said: 'I have killed him.' In other words, Thorn is going to tell the whole truth about it, absolutely the whole truth," said Mr. Howe, with a dramatic gesture.

"Will Thorn testify that Mrs. Nack took away the head or he will state that it was he himself who threw it into the river?" Mr. Howe was asked. "The big lawyer hesitated for a moment, and then replied: 'Wait till we have got Thorn on the stand to-morrow. He will tell about it.'"

WILL FIGHT IT OUT.

Lawyer Joseph P. Moss, who is associated with Mr. Howe in the defense of Thorn, was asked, if in the case of a new trial being ordered the defense would accept an offer from the people for a plea of murder in the second degree from Thorn. "Certainly not," he replied. "We would spurn such an offer."

When this was told to District Attorney Youngs he said that it was ridiculous and unworthy of a moment's attention.

District Attorney Youngs and Judge A. N. Weller, who have charge of the case for the people, held a conference to-day with Judge Wilmot N. Smith. They were closeted for nearly an hour and after they separated Judge Weller said the prosecution had adopted the following program: If Juror Larsen be not sufficiently recovered to attend to his duties in the jury box to-morrow (Friday) the people will ask for an adjournment until Monday, and then, if in the opinion of the physicians, the juror will not have sufficiently recovered, the district attorney will ask that the present jury be discharged and a new panel be drawn from which a new jury will be selected immediately and the trial will be pushed through during the present term.

Late this afternoon an operation was successfully performed upon the sick juror and it is expected that he will be able to leave his bed in two weeks. District Attorney Youngs this evening notified the other eleven jurors to be present in court to-morrow and receive their discharge, and he will then ask the court to call a new jury.

THORN'S STORY

Of the Murder of Goldensuppe—Says Mrs. Nack Not Only Shot Him but Cut Him up.

NEW YORK, Nov. 11.—Lawyer Howe has made public the substance of Thorn's story. He will swear on the witness stand as follows:

"Mrs. Nack, who says that I killed Goldensuppe, conceived, planned, plotted and accomplished the murder of Goldensuppe. It was she who suggested the actual murder, who arranged for the hiring of the hoodlums for the purpose of the man, for the cutting up and bundling of the remains, and eventually for the disposition of the dismembered trunk. "Mrs. Nack, herself, shot Goldensuppe with the revolver shown in court yesterday. She went into the house at Woodside with Goldensuppe and returned and told me that Goldensuppe was dead—shot in the temple by herself. Later in the day she went back to the Woodside cottage, undressed the body, and cut it up into four pieces. "She has reversed the true story, charging me with doing just what she did. On the witness stand I will prove the truth. "Her purpose in getting rid of Goldensuppe, she told me at the time, was to get him out of the way because she had ceased to love him. "I wish to God now I never had had anything to do with her. I have tried in every way to shield her. I have been silent when I might have talked, and talked when I might have remained silent—all to shield and help her, and she has turned on me and tried to fasten her own guilt upon me. Her dread of the chair at Sing Sing has killed all the love she once had for me, and she is now trying to do away with me, just as she put Goldensuppe away, to save herself."

METHODIST MISSIONS.

Division of Appropriations Occupies the Attention of the Committee.

PHILADELPHIA, Nov. 11.—The general missionary committee of the extension of the Methodist Episcopal church resumed its session this morning.

Bishop Andrews, of New York, in the chair. When the public meeting was called to order by Bishop Andrews, Rev. J. F. Chaffee, of Minneapolis, urged the committee to appoint a committee to devise ways and means to decrease the debt. After some discussion, Dr. Chaffee's suggestion was agreed to. The question of the division of the appropriation to domestic and foreign missions, respectively, was discussed at some length.

The total amount appropriated was \$1,139,940 and \$40,000 additional was appropriated for contingent expenses, and \$30,000 for incidental expenses, and decided to make the division of the missionary fund on the basis of 45 per cent. to home mission and 55 per cent. to foreign missions.

The committee was just about to enter into the apportionment of the amount by districts when a discussion arose over the division of the two branches of mission work and upon motion it was reconsidered. A lengthy debate followed, the home mission advocates urging an increase of the percentage for domestic missions. It was finally resolved to let the percentage stand at 45 and 55 per cent.

PRINCETON INN AFFAIR.

Rev. Dr. Shields Withdraws From The Church—Action of Presbytery.

PRINCETON, N. J., Nov. 11.—The New Brunswick presbytery met in the First Presbyterian church here to-day. Charles W. Shields, professor of Princeton University, who has been censured by members of the presbytery for signing the petition for the license for Princeton Inn, tendered his withdrawal from the Presbyterian church. A resolution was presented by Rev. Dr. John De Witt, professor of church history in the Theological Seminary, that the resignation of Dr. Shields be accepted. There were immediate protests and requests that a resolution of regret accompany the withdrawal. The argument continued for some time, and Rev. Dr. Hogan offered a sub-resolution that a committee of three clergymen and two laymen be appointed to confer with Dr. Shields.

It was finally decided to appoint a committee of five to inquire into and report on the case. The committee consists of Dr. Duffield, Dr. Hogan and Dr. Studdiford, clergy, and Judge Lanning and Dr. Hamilton, elders.

THE TORPEDO SCANDAL

In the Grecian Navy Continues to be the Reigning Sensation.

BRINDISI, Italy, Nov. 11.—Letters received here to-day from Athens say that the torpedo scandal continues to be the sensation of the Grecian capital. The basis of this scandal was the discovery of the fact that all the cartridges fitted to the torpedoes during the war with Turkey were not provided with percussion caps and fuming mercury, and that therefore they would have been useless in case they were needed. The committee of investigation appointed to inquire into the matter decided that two officers, Captains Rastopoulo and Anastasi, must be tried by court-martial on the charge of culpable negligence.

Captain Rastopoulo, who is now being tried, has asked that Prince George of Greece, who commanded the torpedo flotilla during the war, and who was previous to the war a great favorite with the masses, be called as a witness. The court refused to do this.

Butterworth Better

CLEVELAND, Nov. 11.—The condition of Major Benjamin Butterworth this afternoon was greatly improved. His respiration, temperature and heart action had lessened and the chance for recovery is now much better.

SENSATION SPRUNG

In Proceedings Against Wanamaker—Alleged Defamers.

IMPOSING ARRAY OF COUNSEL

Engaged in the Prosecution of Ex-Secretary of State Reeder and Others on a Charge of Conspiracy and Bribery—The Main Witness, However, is Absent, and One of the Lawyers Withdraws from the Case in a Very Dramatic Manner—Rule Issued for the Recalcitrant Witness—Suits the Outcome of Recent Senatorial Fight in Pennsylvania.

EASTON, Pa., Nov. 11.—The cases of ex-Secretary of State Frank Reeder, of this city, and Representatives Weiss and Maurice Luckenbach, of Bethlehem, against whom charges of conspiracy to commit bribery and to defame the character of John Wanamaker were preferred were to have been heard by the grand jury to-day, but the absence of W. A. Winsbrough, upon whose affidavit the information against the defendants was lodged, caused a postponement until to-morrow. Apart from this the proceedings were sensational, and ended in the withdrawal of Lawyer William C. Shipman, of the prosecution from the case.

The suit is the outcome of the senatorial fight of last January by Botes Penrose and John Wanamaker. The prosecution, which is sustained by Fred Van Valkenburg had an imposing array of counsel. It included besides Lawyer Shipman, Judge O. H. Myers, Charles S. Bergner and Major George W. Merriek, of Thoga county, and Harry McKay, of Philadelphia. General W. E. Doster, who represented the commonwealth, was on hand in place of District Attorney James C. Fox, the latter being relieved from the case because of the social and family relations existing between him and General Reeder. The defense was represented by Congressman W. S. Kirkpatrick, R. C. Stewart and E. J. Cox. The change in the commonwealth's counsel caused by District Attorney Fox being relieved was what drew from Lawyer Shipman, accusations, and eventually to his withdrawal. Judge Scott had disposed of several minor cases and the case against the three defendants above mentioned was called.

Lawyer Shipman said he had a petition to present to the court and said in part: "I am compelled to say that Judge Doster and my colleagues differ so on the matter in hand that we cannot proceed to conduct the case together. "It was decided I should draw the indictment and Mr. Mackey was to gather any additional evidence. In the meantime, however, I received from General Doster an insulting and insolent letter. It was decided after the receipt of this letter that we should withdraw from the case and let him conduct it as he chose, alone and unaided. A change of plans, however, induced us to allow him to examine our witness, and which he did in private, and in a perfunctory fashion. "More than this, I learned that General Doster had received from General Reeder a letter asking that General Doster should act as prosecuting attorney for the commonwealth."

Lawyer Shipman then presented to the court a petition signed by Mr. Van Valkenburg, in which the latter referred to the appointment of General Doster as acting district attorney. The petition stated that differences have arisen between General Doster and the other counsel for the prosecution by written to the letter said to have been received by General Doster by General Reeder. Continuing, the petitioner claimed that his counsel by reason of the above alleged acts, communicated to the district attorney as represented by General Doster and requested him not to send the bill of indictment to the grand jury and that General Doster has refused this request.

Judge Scott, in reply, quoted the law, showing the redress of counsel in the event of the prosecuting attorney failing to take the proper legal steps in such matters. He said: "In my mind, it narrows down to a personal difference between the acting district attorney and private counsel for the prosecution which is not a sufficient cause for delaying these proceedings."

Judge Scott said: "Are your witnesses here, General Doster and Mr. Shipman?" "I have nothing more to do with the case," said Lawyer Shipman. "Then notify your client," replied the court, "and General Doster call your witnesses."

The absence of Mr. Winsbrough was then discussed and court took a recess until 2 o'clock, when Mr. Winsbrough was still absent. Court thereupon adjourned until to-morrow morning and a court officer was sent in search of Mr. Winsbrough.

A Present to the President.

WASHINGTON, Nov. 11.—Secretary Sherman, Minister Romero, of Mexico, and Minister Merou, of Argentina, members of the executive committee of the bureau of American republics, were at the white house to-day and presented the first volume of the commercial directory of the American Republics to President McKinley. There was considerable fortality about the matter, the presentation being made in the blue parlor. Secretary Sherman presented the volume.

Klondiker's Pocket Picked.

CHICAGO, Nov. 11.—Joseph Ladue, who struck it rich on the Klondike was robbed of \$700 worth of nuggets in the depot of the Lake Shore railroad to-day. The gold was in a bag in his overcoat pocket and the thief managed to secure it while Ladue was walking from his train to the depot door. There is no trace of the pick-pocket.

Head's Western Jaunt.

MONTREAL, Nov. 11.—Speaker Thomas B. Reed, left by the Pacific express yesterday, in a private car. He will go through to the coast and after seeing the situation of affairs in the west will return to Washington in time for the opening of Congress.

Steamship Overdue.

GLASGOW, Nov. 11.—The British steamer State of Nebraska, from New York on October 30, for Glasgow, was due to arrive here on Monday last, has not yet been sighted. The state of Nebraska was last heard from on October 31, when she was spoken in latitude 40.41 north, longitude 68.52 west.

Movements of Steamships.

NEW YORK—Arrived: Lahn, from Bremen.

NAPLES—Arrived: Fulda, New York.

PHILADELPHIA—Arrived: Indiana, Liverpool.

BREMENHAVEN—Arrived: Saale, New York.

Weather Forecast for To-day.

For West Virginia, fair; warmer Friday night; northwesterly winds, becoming northerly.

For Western Pennsylvania, clearing in the early morning, fair Friday; colder; northwesterly winds, high on the lakes, diminishing in force to-day; showers.

For high northwesterly winds, decreasing in force.

Local Temperature.

The temperature yesterday as observed by C. Schaepp, druggist, corner Fourteenth and Market streets, was as follows:

7 a. m. 50; 10 a. m. 50; 1 p. m. 50; 4 p. m. 50; 7 p. m. 50; 10 p. m. 50.

Weather—Changeable.

ANOTHER DELAY

In Carrying Out the Execution of the Sentence Against Murderer Durrant—Stay Granted at the Eleventh Hour.

SAN FRANCISCO, Nov. 11.—William Henry Theodore Durrant will not be hanged at San Quentin to-morrow after all, the supreme court of the state having granted him another respite at the eleventh hour. Up to 4 o'clock this afternoon, when the news flashed over the wires from Sacramento that the court, now in session here, had granted a writ of probable cause, and instructed Warden Hale not to carry out the execution of Durrant until further orders, there was apparently no further hope for the condemned murderer of Blanche Lamont and Minnie Williams, as his attorneys, Messrs. Dickinson and Boardman, had made a futile effort to secure another writ of habeas corpus in the United States court, and had not even been granted permission to appeal from that decision to the supreme court of the United States.

Meanwhile, however, Attorney Durrey hastened to Sacramento and applied to the state supreme court for a writ of probable cause for the purpose of staying proceedings against his client upon the grounds that no official knowledge of the action of the supreme court of the United States in the matter of Durrant's appeal from the decision of the federal court had yet been received; that the superior court had acted too hastily in sentencing Durrant to be hanged to-morrow, as the law required that he be given at least sixty days grace; and, thirdly, that the pendency of an appeal in the supreme court affecting the condemned was of itself sufficient cause for a stay of execution.

The matter was partially argued in chambers and later argued before the full court and taken under advisement. Shortly thereafter the court announced its decision, granting the writ applied for, in which all the justices concurred.

They Died Game.

SEMLA, Nov. 11.—When the British reconnoitering force returned from the camp in the Maldan valley, after a disastrous return from the summit of the Saram-San mountain, Lieutenant MacIntyre and twelve men belonging to the Northamptonshire regiment, which had suffered most severely while saving the wounded, were reported missing; but it was hoped that they would succeed in reaching the camp. A dispatch from the Maldan valley to-day, however, shows that the lieutenant and his companions have been killed. Their bodies have been found and it is said to be evident from the position in which the corpses rested that the little detachment fell valiantly fighting to the last. Every man of the party died from rifle bullet wounds.

Outrage by Whitecaps.

HOLGATE, O., Nov. 11.—Word reached this city this evening from Oakwood, Ohio, a hamlet fifteen miles south, of an outrage perpetrated last night by whitecaps upon two girls, Edith and May Roberts, aged nineteen and seventeen years. Last evening they were awakened by a band of eight or ten men entering their rooms and dragging them from their beds in their night robes to the nearby road, where they were terribly whipped by a cat o' nine tails.

Lincoln Takes Pullman's Place.

CHICAGO, Nov. 11.—A meeting of the directors of the Pullman Palace Car Company was held to-day. Robert T. Lincoln was elected a director. The most important action taken was the appointment of an executive committee consisting of H. E. Hulbert, of New York, and Marshall Field and Robert T. Lincoln, of Chicago, which will have charge of the general affairs of the company. Robert T. Lincoln was elected chairman of this committee.

Mysterious Suicide.

PHILADELPHIA, Nov. 11.—A man, apparently a Frenchman of position and refinement, whose identity has not yet been clearly established, committed suicide late this afternoon at Green's hotel, Eighth and Chestnut streets, by inhaling illuminating gas. He was about thirty-five years old. He came to the hotel on last Tuesday and in a bold hand wrote in the register as "William Rousseau, Tourist." His appearance was that of a well educated man and his clothing was of excellent quality.

Bloodthirsty Mexican Boy.

BROWNVILLE, Texas, Nov. 11.—A Mexican boy named Bernardo Salazar, aged sixteen, has shot and probably fatally wounded two old women and two little girls aged four and two years. There is no cause assigned for the deed. Salazar was arrested and placed in jail. The weapon was a double barreled shot gun loaded with buckshot.

Entire Train Burned Up.

LOUISVILLE, Nov. 11.—The passenger train on the